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EXAMINER

NGUYEN, HUNG T

ART UNIT PAPER NUMBER

2636

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/751,393

Applicant(s)

MORIE, NOBUHIDE

Examiner

Hung T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/5/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5-6, 8 & 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites the limitation "the name" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the names" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the same class" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the acts" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the road" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the next main intersection" in line 9. There is insufficient antecedent basis for this limitation in the claim.

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-6 & 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Ukita Pub. No. (U.S. 2001/0044694).

Regarding claim 1, Ukita discloses a navigation device (21) [ figs.1-3, paragraphs 0003, 0053, 0057 ] comprising:

- a map display (8) for displaying a vehicle position mark (3) on a screen (25) [ figs.4-6, paragraphs 0072-0074 ];

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- setting a scroll direction by a user from input device (27) [ fig.2, paragraphs 0005, 0053, 0062, 0077 ],
- a scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name [ figs.4-6, 0075, 0077, 0082, 0093 ].

Regarding claims 2-3, Ukita discloses the navigation device (21) including the map display (8) for displaying a vehicle position mark (3) on a screen (25) [ figs.4-6, paragraphs 0072-0074 ];

- the scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name as Akasaka, shimagaya, Nagao, the navigation may display an entrance number of an express way, road name, a road number of the intersecting road or the like [ figs.4-6, 0077, 0093 ].

Regarding claim 4, Ukita discloses the navigation device (21) including the map display (8) for displaying a vehicle position mark (3) on a screen (25) [ figs.4-6, paragraphs 0072-0074 ];

- the scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name as Akasaka, shimagaya, Nagao, the navigation may display with an arrow a next travelable direction starting [ figs.4-6, 0077, 0082, 0093 ].

Regarding claims 5-6, Ukita discloses the navigation device (21) including the map display (8) for displaying a vehicle position mark (3) on a screen (25) [ figs.4-6, paragraphs 0072-0074 ];

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- the scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name as Akasaka, shimagaya, Nagao, the navigation may display indicating a next travelable direction as the next road name as intersection or express way or roadway as Akasaka, shimagaya, Nagao [ figs.4-6, 0077, 0082, 0093-0096 ].

Regarding claims 10-11, Ukita discloses a navigation device (21) having a scrolling images [ figs.1-3, paragraphs 0005, 0026, 0077, 0082 ] comprising:

- a map display (8) for displaying a vehicle position mark (3) on a screen (25) [ figs.4-6, paragraphs 0072-0074 ];
- the navigation device (21) is installed in the vehicle (3) including the map display (8) for guiding a user a starting to destination positions [ figs.1-3, paragraphs 0053, 0071-0074 ];
- setting a scroll direction by a user from input device (27) [ fig.2, paragraphs 0005, 0053, 0062, 0077 ];
- identify the direction of the travel of the vehicle and roads or highways or intersection which the vehicle is traveling [ figs.4-6, 0077, 0082, 0093-0096 ];
- a scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name [ figs.4-6, 0075, 0077, 0082, 0093 ];
- the scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name as Akasaka, shimagaya, Nagao, the navigation may display indicating a next travelable direction as the next road name as

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intersection or express way or roadway as Akasaka, shimagaya, Nagao [ figs.4-6, 0077, 0082, 0093-0096 ].

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ukita Pub. No. (U.S. 2001/0044694).

Regarding claim 7, The reference of Ukita does not specifically mention when at the intersection that joins a main road, the user repeat the setting of a scroll direction as claimed by the applicant.

However, Ukita discloses setting a scroll direction by a user from input device (27) [ fig.2, paragraphs 0005, 0053, 0062, 0077 ];

- a scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name [ figs.4-6, 0075, 0077, 0082, 0093 ];
- the scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name as Akasaka, shimagaya, Nagao, the navigation may display an entrance number of an express way, road name, a road number of the intersecting road or the like [ figs.4-6, 0077, 0093 ]; and

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- the scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name as Akasaka, shimagaya, Nagao, the navigation may display indicating a next travelable direction as the next road name as intersection or express way or roadway as Akasaka, shimagaya, Nagao [ figs.4-6, 0077, 0082, 0093-0096 ].

Therefore, it would have been obvious to one having ordinary skill in the art to have the system of Ukita with the detailed map images for guiding the driver to the destination in the good manner as easy, safety and clear information.

Regarding claim 8, Ukita discloses the scrolling means for scrolling the map image in the set direction along a road as the vehicle passed through intersection or express way or road name as Akasaka, shimagaya, Nagao, the navigation may display an entrance number of an express way, road name, a road number of the intersecting road or the like [ figs.4-6, 0077, 0093 ].

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ukita Pub. No. (U.S. 2001/0044694) in view of Yokota (U.S. 6,859,723).

Regarding claim 9, The reference of Ukita does not specifically mention the a scrolling mean is a joystick for controlling the map image as claimed by the applicant.

However, Ukita discloses the map display (8) for displaying a vehicle position mark (3) on a screen (25) [ figs.4-6, paragraphs 0072-0074 ];



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- setting a scroll direction by a user from input device (27) which has a switch is operated when a command is input to the navigation device by a user and which supplies the user command to the control unit (28) [ fig.2, paragraphs 0062-0063 ].

Furthermore, Yokota teaches a navigation system including a map image of a selected street which can be controlled joystick / enter key (47a) / the user may scroll the map image by joystick [ figs.12,14, col.11, lines 52-623 and col.12, lines 41-47 ].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Yokota in the system of Ukita for controlling the map images of the navigation system in the positions as desired.

### **Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- McGovern (U.S. 6,643,585) Road name displaying method and navigation system.
- De Silva (U.S. 6,836,723) Navigation method and system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

**HUNG NGUYEN**  
**PRIMARY EXAMINER**

A handwritten signature in cursive script that reads "Hung T. Nguyen".

Examiner: Hung T. Nguyen

Date: July 29, 2005